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SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
077694,119	05/01/91	GERKE	D 21.763

MC GLEW AND TUTTLE
SCARBOROUGH STATION
SCARBOROUGH, NY 10510-0827

VU, H. EXAMINER

3202 5

02/18/92

1. To be returned to the examiner in charge of your application.
2. To be returned to the Commissioner of Patents and Trademarks.

☐ This application has been examined ☒ Responsive to communication filed on Nov. 12, 1992 ☒ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), — days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input type="checkbox"/> Notice re Patent Drawing, PTO-948. |
| 3. <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449. | 4. <input type="checkbox"/> Notice of Informal Patent Application, Form PTO-152 |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> _____ |

Part II SUMMARY OF ACTION

1. ☒ Claims 3-15 are pending in the application.
Of the above, claims _____ are withdrawn from consideration.
2. ☐ Claims _____ have been cancelled.
3. ☐ Claims _____ are allowed.
4. ☒ Claims 3-15 are rejected.
5. ☐ Claims _____ are objected to.
6. ☐ Claims _____ are subject to restriction or election requirement.
7. ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. ☐ Formal drawings are required in response to this Office action.
9. ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice re Patent Drawing, PTO-948).
10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction, filed _____, has been ☐ approved; ☐ disapproved (see explanation).
12. ☐ Acknowledgement is made of the claim for priority under U.S.C. 119. The certified copy has ☐ been received ☐ not been received ☐ been filed in parent application, serial no. _____; filed on _____.
13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. ☐ Other

EXAMINER'S ACTION

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1. Applicant should submit the prior art from DE 37 30 662 A1 as stated in page 1 of background of the invention for reviewing.
2. The following is a quotation of the first paragraph of 35 U.S.C. § 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

The specification is objected to under 35 U.S.C. § 112, first paragraph, as failing to adequately teach how to make and/or use the invention, i.e. failing to provide an enabling disclosure.

With respect to the claims, claim 5, lines 10-14, "said second ... means"; the recitation in claims 6-10, 13 and claim 15, lines 14-18, "said second ... means" is not supported by original disclosure.

3. Claims 5-15 are rejected under 35 U.S.C. § 112, first paragraph, for the reasons set forth in the objection to the specification.
4. Claims 7-10, 13, 14 and 15 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 7, lines 3, 4, "whereby ... together" is unclear.

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Claim 8, line 3, "contacting" should be --connecting element--.

Claim 9, line 3, "between ... and" is unclear.

Claim 10, lines 2, 3, "said second ... element" is not clear.

Claim 13, line 2, "said contact ... housing." It is unclear how the contact means is movably mounted in the housing. It appears that contact means is a section outside the housing as claimed in claim 1.

Claim 15, line 8, "contact element" lacks antecedent basis.

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

6. (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
7. Claims 1-13 are rejected under 35 U.S.C. § 102(b) as being anticipated by Pohl (202).
8. Pohl, in Fig. 1, discloses an electrical connector comprising a connecting element 64 having first connector means for forming an electrical connection between said connecting element 64 and a wire (not shown); contact means 17 for forming an electrical connection to the circuit board; a second connector 26 means forming an electrical connection between said contact means 17 and said connecting element 64.

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9. The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

10. Claims 4, 5, 14 and 15 are rejected under 35 U.S.C. § 103 as being unpatentable over Pohl (202).

11. Pohl (202) has been described above. As to claim 15, the use of the flat material for the connecting means would be obvious choice of material since the result of the pressure contacts acting on the wire provide the same result and such is not considered critical as claimed. As to claims 4, 5 and 14, the use of the plug connector portion forming a fork-type contact surrounding a portion of the connecting means is considered old and well known in the art and would have been an obvious of design.

12. Applicant's arguments with respect to claim 3 have been considered but are deemed to be moot in view of the new grounds

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of rejection.

13. Applicant's amendment necessitated the new grounds of rejection. Accordingly, **THIS ACTION IS MADE FINAL**. See M.P.E.P. § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

14. Any inquiry concerning this communication should be directed to Hien D. Vu at telephone number (703) 308-1736.

Vu/cs #V
January 29, 1992

Larry I. Schwartz
Larry I. Schwartz
SPE
Art Unit 322